### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Charles Joel Arntzen

Dominic Man-Kit Lam

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**GROUP NO.:** 

SERIAL NO.: 08/479,742

8888 **EXAMINER:** 

FILED:

June 7, 1995

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FOR:

Vaccines Expressed in Plants

Attorney Docket No.: 1621-00206

Date: August 22, 1996

### TRANSMITTAL OF COMBINED DECLARATION AND POWER OF ATTORNEY OF CHARLES J. ARNTZEN

Assistant Commissioner for Patents Washington, DC 20231

Sir:

Transmitted herewith for filing in the above-identified matter is a Combined Declaration and Power of Attorney signed by Charles J. Arntzen, with a copy of the specification, claims, drawings and preliminary amendment attached. By this filing, Dr. Arntzen joins in the prosecution of this application, as provided under 37 C.F.R. § 1.47(b).

Applicants believe that no fee is due as a result of filing this paper. If the Commissioner deems that a fee is owing, please charge the same to Deposit Account No. 03-2769 of Conley, Rose & Tayon, P.C., Houston, Texas.

Respectfully submitted,

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class U.S. Mall in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Szen (Printed,name-of person mailing paper) (Signature of person mailing paper)

C. Steven McDaniel Reg. No. 33,962

Conley, Rose & Tayon, P.C.

P.O. Box 3267

Houston, Texas 77253-3267

(713) 238-8010 Fax (713) 238-8008 ATTORNEY FOR APPLICANTS

Attorney's Docket No.: 1560-00206

#### COMBINED DECLARATION AND POWER OF ATTORNEY (ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL, **CONTINUATION OR CIPI**

As a below na	imed inventor	, I hereby declare the	hat:			
•	•	TYPE OF	DECLARA	TION	:	•
The declaration	⊠ origi □ desi		ck one appli	cable item bel	low)	
NOTE		on is for an International . n, do <u>not</u> check next itel				ion or continustion-in-
	☐ natio	onal state of PCT				
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	⊠ divis	sional				
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		INVENTORS	HIP IDENTI	FICATION		
WARNING:	If the inventor	rs are each not the inv all the claims at the time	rentors of all t e the last clain	the claims, an ex ned invention was	xplanation of th s made, should	ne facts, including the be submitted.
the original,	first and sole ural names are	ddress and citizens inventor (if only o e listed below) of the entitled:	ne name is	listed below	or an origin	nal, first and joint
		TITLE	OF INVENT	пом		
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		SPECIFICAT	TION IDENT	IFICATION		
The specifica	tion of which is attached	: <i>(complete (a), (b)</i> hereto	or (c)			2'
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	<del> </del>		<del></del> -'	(if applicable).	•	
NOTE:	accorded a fil	ling date by being refer	red to in the d	leciaration. Acci	ordingly, the an	tain new matter are not nendments involved are , are those amendments

claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

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	if any		
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l ho specificatio	ereby stat in, includir	te that I have reviewed and understand the contents of the above ng the claims, as amended by any amendment referred to above.	-identified
l ac	knowledg	e the duty to disclose information	
	Ø	which is material to patentability as defined in 37, Code of Federal Res 1.56	gulations,
		(also check the following items, if desired)	
	⊠	and which is material to the examination of this application information where there is a substantial likelihood that a reasonable would consider it important in deciding whether to allow the application in compliance with this duty there is attached an information statement in accordance with 37 CFR 1.98.	e examiner dication to
		PRIORITY CLAIM (35 U.S.C. § 119)	
application at least or below any application	(s) for pate ne country y foreign n(s) design:	n foreign priority benefits under Title 35, United States Code, § 119 of tent or inventor's certificate or of any PCT international application(s) of other than the United States of America listed below and have also application(s) for patent or inventor's certificate or any PCT international application of the application of which natter having a filing date before that of the application(s) of which	designating identified atternational depth on the by me on
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NOTE:	Where priorit	e item (c) is entered above and the International Application which designated the U.S ty check item (e), enter the details below and make the priority claim.	, itself claimed
		DIOR FOREIGNIPOT APPLICATIONICS FILED WITHIN 12 MONTHS	

# A. PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
			☐ YES NO ☐
. •			☐ YES NO ☐
			☐ YES NO ☐

### ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

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this application entering the part, then also complete AD	United States a DED PAGES TO (	s (1) the national state, or (2) a co COMBINED DECLARATION AND I	cation is a PCT filing forming the basis for continuation, divisional, or continuation-in-POWER OF ATTORNEY FOR DIVISIONAL, application(s) under 35 U.S.C. § 120.
	POV	WER OF ATTORNEY	
			o prosecute this application and ted therewith. (List name and
Ned L. Conley	19,204	Gregory L. Maag	32,363
Kevin L. Daffer	35,146	Eric B. Meyertons	34,876
Michael F. Heim	32,702	Leslie V. Payne	P38,267
Shawn Hunter	36,168	David A. Rose	26,223
Bruce Noël Kivlin	33,929	Jeffrey W. Tayon	30,717
C. Steven McDaniel	33,962	Marcella W. Watkins	36,962
	(check the	following item, if applicab	le)
			torney is the authorization of the ctions from my representative(s).
SEND CORRESPONDENCE TO	0		DIRECT TELEPHONE CALLS TO:
			(Name and telephone number)
C. Steven McDaniel			C. Steven McDaniel
Conley, Rose & Tayon, P.C.			(713) 238-8010
P.O. Box 3267			, ,
Houston, Texas 77253-3267	•		

### **DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

#### SIGNATURE(S)

NOTE: Carefully indicate the family (or last) name as it should appear on the filing receipt and all other documents.

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Country of	Citizenship: U.S.A
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## CHECK PROPER BOX(ES) FOR ANY OF THE FOLLOWING ADDED PAGE(S) WHICH FORM A PART OF THIS DECLARATION

	Signature for fourth and subsequent joint inventors. Number of pages added:
	* * *
	Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added
	* * *
	Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added
	* * *
	Added page for signature by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time (37 CFR 1.47).
	***
Ø	Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (C-I-P) application.  Number of pages added 1
	* * *
	Authorization of attorney(s) to accept and follow instructions from representative.
	***
	(If no further pages form a part of this Declaration, then end this Declaration with this page and check the following item:)
	This declaration ends with this page.

Attori. /s Docket No.: 1560-00206

## COMBINED DECLARATION AND POWER OF ATTORNEY (ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL, CONTINUATION OR CIP)

As a below na	amed inv	rentor, I hereby declare that:	
		TYPE OF DECLARATION	
The declaration		he following type: (check one applicable item below)	
	Ø	original	
		design	
		supplemental	
NOTE		claration is for an International Application being filed as a divisional, continuation o licat <mark>ion, do <u>not</u> check next item; check appropriate one of last three items.</mark>	r continuation-in-
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NOTE.		f the following 3 items apply, then complete and also attach ADDED PAGES F UATION OR CIP.	OR DIVISIONAL,
•	X	divisional	
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		INVENTORSHIP IDENTIFICATION	
WARNING:		eventors are each not the inventors of all the claims, an explanation of the fac hip of all the claims at the time the last claimed invention was made, should be su	•
the original, t	first and ural name	fice address and citizenship are as stated below next to my name. sole inventor (if only one name is listed below) or an original, as are listed below) of the subject matter which is claimed and for votion entitled:	first and joint
		TITLE OF INVENTION	
		VACCINES EXPRESSED IN PLANTS	
		SPECIFICATION IDENTIFICATION	
The specifica	tion of w	which: (complete (a), (b) or (c)	• • • • • • •
(a)	is atta	ched hereto	<i>:</i>
(b) 🖾		iled on June 7, 1995 as ⊠ Serial No. 08/479,742 and was inary Amendment filed concurrently therewith.	amended by
NOTE:		nents filed after the original papers are deposited with the PTO which contain no d a filing date by being referred to in the declaration. Accordingly, the amendro	

those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

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		te that I have reviewed and understand the contents of the abo ng the claims, as amended by any amendment referred to above.	ve-identified
I ackr	nowledg	e the duty to disclose information	
	×	which is material to patentability as defined in 37, Code of Federal $\S~1.56$	Regulations,
		(also check the following items, if desired)	
	X	and which is material to the examination of this application information where there is a substantial likelihood that a reasonal would consider it important in deciding whether to allow the a issue as a patent, and  in compliance with this duty there is attached an information	ble examiner pplication to
		statement in accordance with 37 CFR 1.98.	
		PRIORITY CLAIM (35 U.S.C. § 119)	
application(s) at least one below any 1 application(s)	for pate country foreign designa	n foreign priority benefits under Title 35, United States Code, § 119 cent or inventor's certificate or of any PCT international application(s) other than the United States of America listed below and have a application(s) for patent or inventor's certificate or any PCT ating at least one country other than the United States of America fatter having a filing date before that of the application(s) of which	) designating Iso identified international iled by me on
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(e) 🛛	such	applications have been filed as follows.	
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	A. PF	RIOR FOREIGN/PCT APPEICATION(S) FILED WITHIN 12 MONTHS	. <del>.</del>

# A. PRIOR FOREIGN/PCT APPLICATION(\$) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119

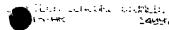
COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
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			☐ YES NO ☐

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NOTE:	this application entering the part, then also complete AD	United States as DED PAGES TO (	s (1) the national state, or (2) a co COMBINED DECLARATION AND (	cation is a PCT filing forming the basis for continuation, divisional, or continuation-in- POWER OF ATTORNEY FOR DIVISIONAL, application(s) under 35 U.S.C. § 120.
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	Ned L. Conley Kevin L. Daffer Michael F. Heim Shawn Hunter Bruce Noël Kivlin C. Steven McDaniel	19,204 35,146 32,702 36,168 33,929 33,962	Gregory L. Maag Eric B. Meyertons Leslie V. Payne David A. Rose Jeffrey W. Tayon Marcella W. Watkins	32,363 34,876 P38,267 26,223 30,717 36,962
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Conley P.O. E	even McDaniel y, Rose & Tayon, P.C. 3ox 3267 on, Texas 77253-3267			C. Steven McDaniel (713) 238-8010

#### **DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



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#### **EIGNATUREISI**

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	Signature for fourth and subsequent joint inventors. Number of pages added:
	* * *
	Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added
	* * *
$\boxtimes$	Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added 1
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	Added page for signature by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time (37 CFR 1.47).
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	Authorization of attorney(s) to accept and follow instructions from representative.
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	☐ This declaration ends with this page.